

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2010-0185 – 7901 Cameron Road**Z.A.P DATE:** January 4, 2011**ADDRESS:** 7901 Cameron Road**OWNER/APPLICANT:** Dimension Properties, Inc. (Gary Boulden and Michael Kuhn) 476-1072**AGENT:** Ciao Chow Catering (Mark Bradley) 512-301-4443**ZONING FROM:** GR**TO:** CS-1**SITE AREA:** 0.028 acres (1,241 square feet)

**SUMMARY STAFF RECOMMENDATION:** The staff recommendation is to grant the change from GR (Community Commercial) district zoning to CS-1 (Commercial – Liquor Sales) district zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:** On January 4, 2011, Zoning and Platting Commission approved staff's recommendation for CS-1 district zoning; was approved on the consent agenda by Commissioner Gregory Bourgeois' motion, Commissioner Cynthia Banks second the motion on a vote of 5-0; Chair Betty Baker was absent (ill), with 1 vacancy on the commission.

**DEPARTMENT COMMENTS:**

The 0.028-acre site is currently zoned Community Commercial (GR) district and is located on the northeast corner of Cameron Road and East Anderson Lane. The site is bordered by GR zoning and a three-story office building to the north, GR zoning and auto sales to the east, and GR zoning and service station and convenience store to the west. East Anderson Lane (US-183) is located to the south of the site.

The subject property is within a shopping center that includes a food mart with a service station, a retail store and two restaurants. The applicant is requesting CS-1 zoning in order to operate a full-service catering company that has been in Austin for 9 years. According to the applicant, the company primarily caters to small private events, weddings, and some commercial and film projects that occur in the Austin area. In November of 2009, the applicant applied for and received a Mixed Beverage permit from the Texas Alcoholic Beverage Commission (TABC). The Applicant also has a Caterer's Permit that allows him to sell mixed beverages, beer and wine at off site locations. When he originally received the permit, he was located on the corner of IH-35N and U.S. 290E in a space that was previously occupied by a restaurant that served alcohol. The applicant has since moved and began looking for a site that could house his liquor license so he could continue his alcohol catering. He found a location at 7901 Cameron Rd., Suite 5E in October of 2010. He signed a 1 year lease before he discovered the property was zoned GR. The TABC requires that any location with a mixed beverage permit be outfitted as if it were a bar or lounge which includes ample seating, 2 bathrooms, etc. Therefore, the applicant is requesting the CS-1 zoning to legally store his alcohol and use his mixed beverage caterer's permit.

Staff recommends the applicant's request because the proposed zoning will meet the purpose statement and intent of the requested zoning district. Additionally, most of the area is commercial and the site is located on the corner of two major arterial roads.

The zoning request is limited to the square footage that will be occupied by the proposed use.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b> | <b>LAND USES</b>             |
|--------------|---------------|------------------------------|
| <i>Site</i>  | GR            | Commercial / Service Station |
| <i>North</i> | GR            | Office                       |
| <i>East</i>  | GR            | Service Station              |
| <i>South</i> | US 183        | Right-of-way                 |
| <i>West</i>  | GR-CO         | Auto Sales                   |

**NEIGHBORHOOD PLAN AREA:** The property does not lie within a designated neighborhood planning area.

**TIA:** Is not required.

**WATERSHED:** Buttermilk Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

- Austin Neighborhoods Council
- Homeless Neighborhood Organization
- Home Builders Association of Greater Austin
- Austin Parks Foundation
- North Growth Corridor Alliance
- Sierra Club, Austin Regional Group
- Edward Joseph Developments, LTD
- League of Bicycling Voters
- Austin Monorail Project
- Manor ISD Population and Survey Analyst
- The Real Estate Council of Austin, Inc.
- Super Duper Neighborhood Objectors and Appealers Organization

**CASE HISTORIES:**

| <b>NUMBER</b>   | <b>REQUEST</b>       | <b>COMMISSION</b>          | <b>CITY COUNCIL</b>                      |
|---|----------------------|----------------------------|--|
| C14-77-133, 1500 - 1508 BLOCK OF E ANDERSON LN AT CAMERON RD (DON MCELWREATH) | From Interim A to GR |                            | 11/13/1980 - APVD GR, 1ST H&A; 3RD RDG   |
| C14-93-0092, 1624 ANDERSON (TEXAS)  | From SF-3 to LO      | 08/17/1993 - APVD LO (5-0) | 10/07/1993 - APVD LO (7-0); 2ND/3RD RDGS |

|   |                    |   |   |
|---|--------------------|---|---|
| PHARMACEUTICAL<br>ASSOCIATION<br>ADDITION                         |                    |   |   |
| C14-97-0165, 1608<br>BLOCK OF E<br>ANDERSON LA (TPA<br>EXPANSION) | From SF-3 to<br>GR | 1/13/1998 – APVD<br>STAFF ALT REC OF<br>GR-CO BY CONSENT<br>(9-0) | 2/12/1998 APVD PC REC OF<br>GR-CO W/CONDS (7-0) 3<br>RDGS |

**ABUTTING STREETS:**

| Name                           | ROW    | Pavement | Classification  | Daily Traffic        |
|--------------------------------|--------|----------|-----------------|----------------------|
| US 183<br>(East Anderson Lane) | Varies | Varies   | Arterial (FWY6) | 94,000 (TXDOT, 2009) |
| Cameron Road                   | 120'   | 2@26'    | Arterial (MAD6) | Not Available        |

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

**CITY COUNCIL DATE:** February 10, 2011

**ACTION:** N/A

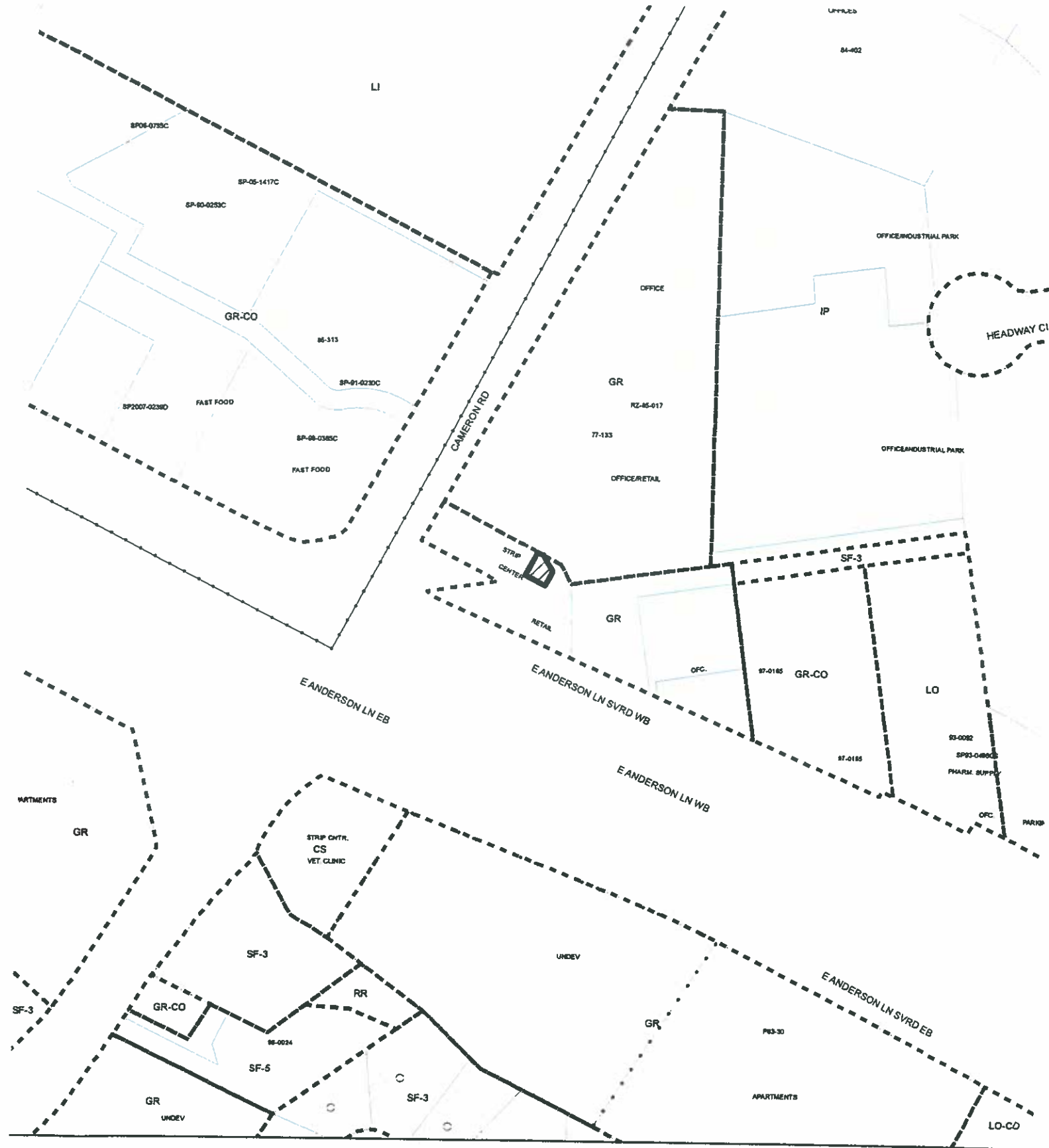
**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Joi Harden

**PHONE:** 974-2122

**E-MAIL:** [joi.harden@ci.austin.tx.us](mailto:joi.harden@ci.austin.tx.us)



# ZONING

ZONING CASE#: C14-2010-0185  
 LOCATION: 7901 CAMERON ROAD  
 SUBJECT AREA: 0.028 ACRES  
 GRID: M28  
 MANAGER: JOI HARDEN

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SUBJECT TRACT

PENDING CASE

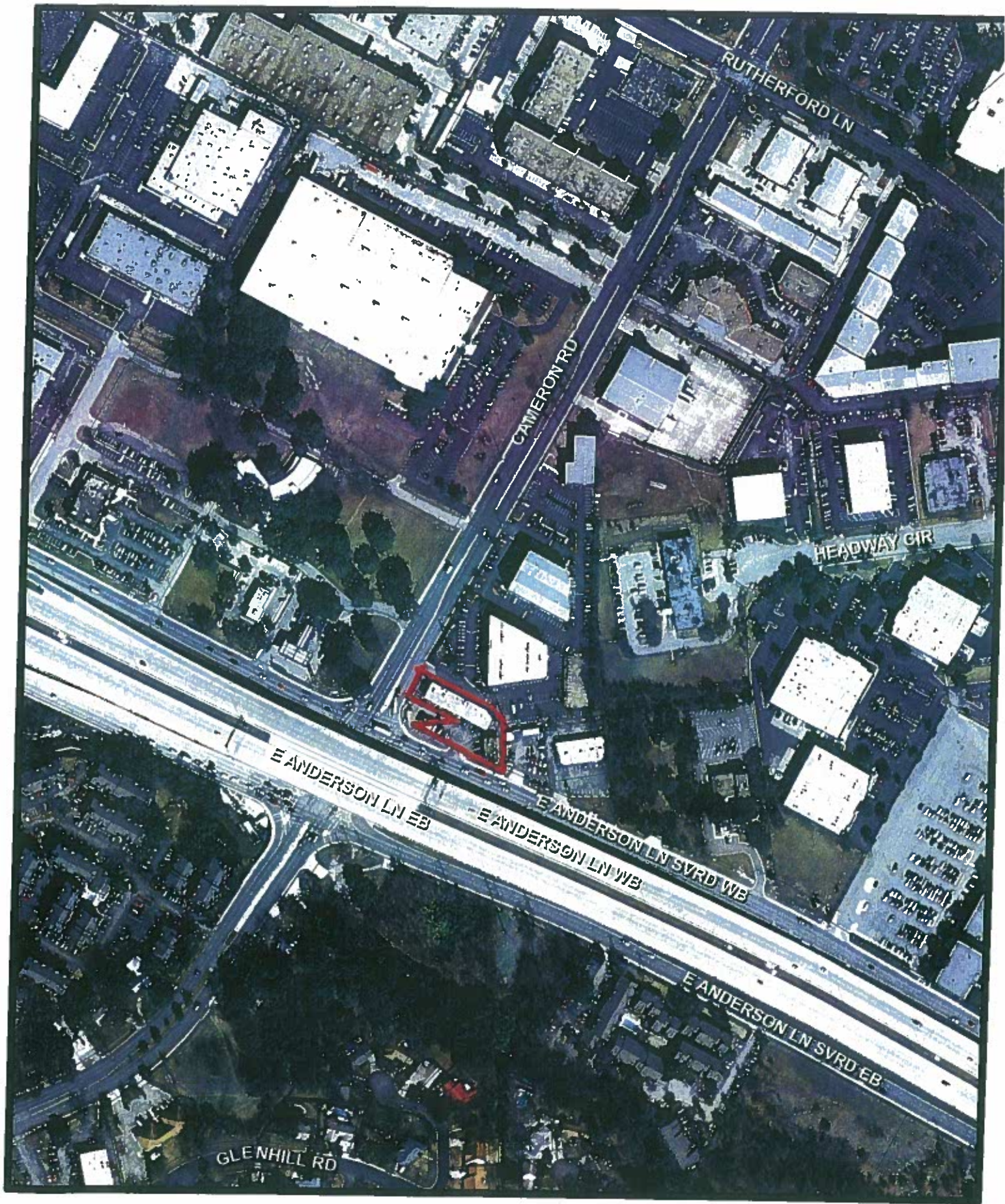
ZONING BOUNDARY

1' = 200'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







**C14-2010-0185 7901 Cameron Road  
From GR to CS-1**





## **SUMMARY STAFF RECOMMENDATION**

The staff recommendation is to grant the change from GR (Community Commercial) district zoning to CS-1 (Commercial – Liquor Sales) district zoning.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

Commercial Liquor Sales district (CS-1) is intended predominately for commercial and industrial activities of a service nature having operating characteristics of traffic service requirements generally incompatible with residential environments, and also includes liquor sales as a permitted use.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*

The site has access to two major arterials, US 183 and Cameron Road. The zoning is consistent and compatible with the nature of the existing surrounding commercial uses.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is developed with a one-story shopping center that includes a food mart with a service station, a retail store and two restaurants. The property is sloped and is sparsely vegetated. There are commercial and offices uses on much of the surrounding properties.

### **Impervious Cover**

The maximum impervious cover allowed by the CS-1 zoning district would be 95%.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Transportation**

There are existing sidewalks along US 183 (East Anderson Lane) and Cameron Road.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or proposed along the adjoining streets as follows:

| Street Name                    | Existing Bicycle Facilities | Proposed Bicycle Facilities |
|--------------------------------|-----------------------------|-----------------------------|
| US 183<br>(East Anderson Lane) | None                        | None                        |
| Cameron Road                   | Shared Lane                 | Bike Lane                   |

Capital Metro bus service is available along Cameron Road (route nos. 7 & 485) and US 183 (route no. 161).

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Site Plan**

The cocktail lounge use will require a conditional use site plan permit once the appropriate zoning of CS-1 is obtained.

Parking for a cocktail lounge may not be within 200 feet of a single family use or zoning district. LDC Section 25-5-146(B)].

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0185

Contact: Joi Harden, 512-974-2122

Public Hearing: Jan. 4, 2011, Zoning & Planning Commission  
Feb. 10, 2011, City Council

Mike Lusthaus - Resident  
Your Name (please print)

☐ I am in favor  
☒ I object

Coronado Hills Creekside Neighborhood Assoc.  
Your address (if different from application)

[Signature]  
Signature

1/3/2011  
Date

Daytime Telephone: (512) 380-9308

Comments: Our neighborhood is concerned that the owner could move in the future and a future use leaving alcohol on site would develop.

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Development Review Department  
Joi Harden  
P. O. Box 1088  
Austin, TX 78767-8810